

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

**DRAFT
10.22.15**

BILL 3

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Transportation Legislation Review Committee\Bill Drafts\TLRC Bill 3 - TC Membership.wpd*

LLS NO. 16-0369.01 Jason Gelender x4330

INTERIM COMMITTEE BILL

Transportation Legislation Review Committee

BILL TOPIC: "Modify Transportation Commission Membership"

A BILL FOR AN ACT

101 **CONCERNING A REQUIREMENT THAT THE TRANSPORTATION**
102 **COMMISSION BE COMPRISED OF ONE MEMBER FROM EACH**
103 **TRANSPORTATION PLANNING REGION OF THE STATE.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

Transportation Legislation Review Committee. The transportation commission is currently comprised of 11 members, each of

*Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.*

whom represents a statutorily defined district. On and after February 1, 2017, the bill requires the commission to instead be comprised of one member from each of the transportation planning regions of the state.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 43-1-106, **amend** (1),
3 (2) introductory portion, (3), (4) (a), (4) (b), and (6); and **add** (2.1) and
4 (3.5) as follows:

5 **43-1-106. Transportation commission - powers and duties -**
6 **repeal.** (1) There is hereby created a transportation commission, which
7 ~~shall consist~~ CONSISTS of eleven members ~~The initial members of the~~
8 ~~commission shall be the members of the state highway commission~~
9 ~~immediately prior to July 1, 1991, and each such commission member~~
10 ~~shall continue to represent the same district~~ THROUGH JANUARY 31, 2017,
11 APPOINTED AS SPECIFIED IN SUBSECTION (2) OF THIS SECTION, AND ONE
12 MEMBER FROM EACH TRANSPORTATION PLANNING REGION OF THE STATE,
13 APPOINTED BY THE GOVERNOR, ON AND AFTER FEBRUARY 1, 2017. THE
14 TERMS OF ALL MEMBERS OF THE COMMISSION APPOINTED TO REPRESENT
15 DISTRICTS AS SPECIFIED IN SUBSECTION (2) OF THIS SECTION EXPIRE ON
16 JANUARY 31, 2017.

17 (2) Through January 31, 2017, the GOVERNOR SHALL APPOINT one
18 member of the commission ~~shall be appointed by the governor~~ from each
19 of the following districts:

20 (2.1) SUBSECTION (2) OF THIS SECTION AND THIS SUBSECTION (2.1)
21 ARE REPEALED, EFFECTIVE JULY 1, 2017.

22 (3) (a) BEFORE FEBRUARY 1, 2017, each ~~district~~ member OF THE
23 COMMISSION shall actually reside in the district THAT he or she represents.
24 If a ~~district~~ member ceases to reside in the district he or she represents,

1 ~~such district~~ THE member ~~shall be~~ IS deemed to have resigned as a
2 member of the commission.

3 (b) THIS SUBSECTION (3) IS REPEALED, EFFECTIVE JULY 1, 2017.

4 (3.5) ON AND AFTER FEBRUARY 1, 2017, EACH MEMBER OF THE
5 COMMISSION SHALL ACTUALLY RESIDE IN THE TRANSPORTATION PLANNING
6 REGION THAT HE OR SHE REPRESENTS. IF A MEMBER CEASES TO RESIDE IN
7 THE TRANSPORTATION PLANNING REGION THAT HE OR SHE REPRESENTS,
8 THE MEMBER IS DEEMED TO HAVE RESIGNED AS A MEMBER OF THE
9 COMMISSION.

10 (4) (a) Except as otherwise provided in paragraph (b) of this
11 subsection (4), the governor shall appoint each member of the
12 commission, ~~shall be appointed by the governor~~, with the consent of the
13 senate, for a term of four years.

14 (b) ~~The terms of members of the commission who are transferred~~
15 ~~from the state highway commission on July 1, 1991, shall expire as~~
16 ~~follows:~~ AS DESIGNATED BY THE GOVERNOR, THE TERMS OF SEVEN OF THE
17 COMMISSIONERS APPOINTED BY THE GOVERNOR FOR TERMS COMMENCING
18 ON FEBRUARY 1, 2017, ARE FOR TWO YEARS.

19 (I) ~~The terms of members of the commission representing districts~~
20 ~~2, 4, 5, 6, 9, and 11 shall expire on July 1, 1991; and~~

21 (II) ~~The terms of members of the commission representing~~
22 ~~districts 1, 3, 7, 8, and 10 shall expire on July 1, 1993.~~

23 (6) The commission shall meet regularly not less than eight times
24 a year, but ~~special meetings may be called by~~ the governor, the chairman
25 of the commission, the executive director, or a majority of the members
26 of the commission MAY CALL SPECIAL MEETINGS on three days' prior
27 notice by mail or, in case of emergency, on twenty-four hours' notice by

1 telephone or other telecommunications device. The commission shall
2 adopt rules in relation to its meetings and the transaction of its business.
3 ~~Six~~ A MAJORITY OF THE members ~~shall constitute~~ OF THE COMMISSION
4 CONSTITUTES a quorum of the commission. All meetings of the
5 commission, in any suit or proceedings, ~~shall be~~ ARE presumed to have
6 been duly called and regularly held, and all orders, rules, and proceedings
7 of the commission to have been authorized, unless the contrary is proved.
8 Each member of the commission shall receive seventy-five dollars per
9 day for each regular or special meeting of the commission actually
10 attended and shall be reimbursed for his or her necessary expenses
11 incurred in the discharge of such member's official duties. Mileage rates
12 ~~shall~~ MUST be computed in accordance with section 24-9-104, C.R.S.

13 **SECTION 2. Act subject to petition - effective date.** This act
14 takes effect at 12:01 a.m. on the day following the expiration of the
15 ninety-day period after final adjournment of the general assembly (August
16 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a
17 referendum petition is filed pursuant to section 1 (3) of article V of the
18 state constitution against this act or an item, section, or part of this act
19 within such period, then the act, item, section, or part will not take effect
20 unless approved by the people at the general election to be held in
21 November 2016 and, in such case, will take effect on the date of the
22 official declaration of the vote thereon by the governor.